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October 20, 2023

VIA ECF

The Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: *Emigrant Bank, et al. v. SunTrust Bank, et al.*, No. 1:20-cv-02391-PGG

Dear Judge Gardephe:

King & Spalding LLP represents Defendant Truist Bank, successor by merger to Defendant SunTrust Bank (“Truist”), and I am Truist’s principal counsel in this matter. I write regarding the upcoming status conference before the Court, scheduled for Thursday, October 26, 2023.

Pursuant to Your Honor’s Individual Rule VII.A, the attorney who will serve as principal trial counsel is expected to appear at all Court conferences. I will be in trial in Memphis, Tennessee, all of next week, including on October 26, in the case styled as *Iannone v. AutoZone, Inc.*, No. 2:19-cv-02779 (W.D. Tenn.). The parties in *Iannone* expect the trial in that case to conclude on approximately November 3. As a result, I will be unable to attend the October 26 status conference in this matter before Your Honor. Given that, I respectfully request that my trial partner Kenneth Fowler be permitted to appear on behalf of Truist at the status conference.

I appreciate Your Honor’s attention to this matter.

Respectfully,

/s/ David Tetrick, Jr.
David Tetrick, Jr.
Counsel for Truist

cc: All counsel of record via ECF